

§ 422.410 Publications for sale.

The following publications containing information pertaining to the program, organization, functions, and procedures of the Social Security Administration may be purchased from the Superintendent of Documents, Government Printing Office, Washington, DC 20402.

(a) Title 20 of the Code of Federal Regulations.

(b) FEDERAL REGISTER issues.

(c) Compilation of the Social Security Laws.

(d) Social Security Rulings.

(e) Social Security Handbook. The information in the Handbook is not of precedent or interpretative force.

(f) Social Security Bulletin.

(g) Directory of Providers of Services, Hospitals, Title XVIII.

(h) Directory of Providers of Services, Extended Care Facilities, Title XVIII.

(i) Directory of Providers of Services, Home Health Agencies, Title XVIII.

(j) Directory of Suppliers of Services, Independent Laboratories, Title XVIII.

(k) Health Care Financing Administration Rulings.

(l) Social Security Acquiescence Rulings.

[33 FR 9606, July 2, 1968, as amended at 44 FR 34942, June 18, 1979; 55 FR 1021, Jan. 11, 1990]

§ 422.412 Availability of administrative staff manuals.

All administrative staff manuals of the Social Security Administration and instructions to staff personnel which contain policies, procedures, or interpretations that affect the public are available for inspection and copying. A complete listing of such materials is published in "Social Security Rulings." These manuals are generally not printed in a sufficient quantity to permit sale or other general distribution to the public. Selected material is maintained at district offices and field offices and may be inspected there. See §§ 422.430 and 422.432 for a listing of this material.

[41 FR 50998, Nov. 19, 1976]

§ 422.416 Availability of records.

(a) *What records are available.* Section 552 of 5 U.S.C., also known as the Free-

dom of Information Act (FOIA), permits any person to see, and get a copy of, any Federal agency's records unless the material is exempt from mandatory disclosure as described in paragraph (b) of this section. Under the FOIA, we are also required to make available to the public the instructional manuals issued to our employees, general statements of policy, and other materials which are used in processing claims and which are not published in the FEDERAL REGISTER, and an index of these manuals and materials.

(b) *What records are not available.* (1) The FOIA exempts certain classes of records from disclosure. Most of these are described at 45 CFR part 5, subpart F, in the regulations of the Department of Health and Human Services (HHS, formerly the Department of Health, Education, and Welfare). Those most likely to apply to information in the Social Security Administration's (SSA's) records are:

(i) Records specifically exempted from disclosure by statute;

(ii) All or part of SSA's investigative manuals or other materials the disclosure of which could materially assist in the violation of any law or regulation;

(iii) Deliberative material (and factual material which would tend to reveal such deliberative material) contained in SSA's inter-agency or intra-agency predecisional memoranda or letters the disclosure of which could adversely affect free and candid discussion within HHS or with another agency or otherwise harm the decision-making process of HHS or another agency; and

(iv) Requested information concerning a person other than the requester, the disclosure of which would not benefit the public to a degree which outweighs that person's right of privacy.

(2) However, unless a statute prohibits disclosure, we will generally supply material which is exempt from mandatory disclosure if we determine that disclosure is in the public interest and is not inconsistent with our obligations of confidentiality and the efficient administration of our programs.

[50 FR 28569, July 15, 1985, as amended at 55 FR 1021, Jan. 11, 1990]

§ 422.418 Deletion of identifying details.

When the Social Security Administration publishes or otherwise makes available an opinion or order, statement of policy, or other record which relates to a private party or parties, the name or names or other identifying details will be deleted.

[33 FR 9606, July 2, 1968]

§ 422.420 Creation of records.

We are not required to create new records merely to satisfy a request. For example, we are not required to program computers to provide data in a particular form or to compile selected items from records, provide statistical data, ratios, proportions, percentages, etc. If these data have already been compiled and are available, we will supply the record when appropriate fees are paid, as provided in §§ 422.440 and 422.441. This does not mean that we will never help you get information that does not already exist in our records. However, diverting staff and equipment from other responsibilities may not always be possible.

[50 FR 28569, July 15, 1985]

§ 422.426 Who may release a record.

Except as otherwise provided by regulation, only the Director, Office of Public Inquiries, SSA, or her or his designee may determine whether to release any record in SSA's control and possession. This official is SSA's Freedom of Information Officer. Sections 422.410, 422.430, and 422.432 list some of the materials for which a determination to release has been made.

[50 FR 28569, July 15, 1985, as amended at 54 FR 4269, Jan. 30, 1989]

§ 422.427 How to request a record.

You may request a record in person, by telephone, or by mail. (However, see §§ 422.444 through 422.449 for an explanation of your appeal rights.) Any request should reasonably describe the record you want. If you have detailed information which would assist us in identifying that record, please submit it with your request. You should mark the outside of any envelope used to submit your request as a "Freedom of

Information Request", no matter how your request may be categorized for fee purposes. (Sections 422.440–422.443 explain our fees.) The staff at any Social Security office can help you prepare this request.

[50 FR 28569, July 15, 1985]

§ 422.428 Where to send a request.

(a) You may send your request for a record to:

(1) The Director, Office of Public Inquiries, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, or

(2) The Public Affairs Director of the appropriate HHS Regional Office. The locations and service areas of these offices are as follows:

Region I—John F. Kennedy Federal Building, Government Center, Boston, MA 02203. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

Region II—26 Federal Plaza, Federal Building, New York, NY 10007. New York, New Jersey, Puerto Rico, Virgin Islands.

Region III—3535 Market St., Philadelphia, PA 19101. Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia.

Region IV—101 Marietta Tower, Atlanta, GA 30323. Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.

Region V—300 South Wacker Drive, Chicago, IL 60606. Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.

Region VI—1200 Main Tower, Dallas, TX 75202. Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Region VII—601 East 12th Street, Kansas City, MO 64106. Iowa, Kansas, Missouri, Nebraska.

Region VIII—19th and Stout Streets, Denver, CO 80294. Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.

Region IX—Federal Office Building, 50 United Nations Plaza, San Francisco, CA 94102. Arizona, California, Hawaii, Nevada, Guam, Trust Territory of Pacific Islands, American Samoa.

Region X—2901 3rd Avenue, Seattle, WA 98121. Alaska, Idaho, Oregon, Washington.

(b) If you send your request to one of the offices described in paragraph (a) of this section and the record you are requesting is elsewhere, that office will forward your written request to the proper office. If you send your request to any other office and the record you are requesting is elsewhere, that office may send your request to the Director,